

CEPOD-EO

DEPARTMENT OF THE ARMY
Pacific Ocean Division, Corps of Engineers
Fort Shafter, Hawaii 96858-5440

Regulation
No. 690-1-3

25 February 1991

Equal Employment Opportunity Office
PACIFIC OCEAN DIVISION EQUAL EMPLOYMENT OPPORTUNITY
AND AFFIRMATIVE EMPLOYMENT PROGRAMS

1. PURPOSE. This regulation prescribes the policy of the PACIFIC OCEAN DIVISION with respect to: Equal Employment Opportunity (EEO) and Affirmative Employment Programs (AEP); the responsibilities of individuals for these programs; and procedures for monitoring progress and providing information to Commanders and key staff.
2. APPLICABILITY. This regulation applies to all employees and applicants for employment within the Pacific Ocean Division, including Honolulu, Japan, Far East Engineer Districts and all field offices throughout the Pacific Basin. Although this regulation is not applicable to foreign nationals, all civilian and military managers, supervisors and employees will ensure that all foreign nationals are afforded the same privileges of equal opportunity and a work environment free of discrimination.
3. REFERENCES. Authority for this regulation is derived from the following:
 - a. 29 CFR 1613
 - b. Executive Orders 11246, 11375, and 11478
 - c. Public Law 92-261, EEO Act
 - d. FPM Chapters, 335, 713, and 720
 - e. ARs 690-300, 690-400, and 690-600
 - f. EEOC MD 714
4. POLICY.
 - a. It is the policy of the Pacific Ocean Division Commander that all employees and applicants for employment be treated equally without regard to race, color, religion, sex (to include marital status and sexual harassment), national origin, age, or mental or physical handicap in all personnel management programs and actions.
 - b. An aggressive affirmative employment program will be implemented with the goal of achieving representation of minorities and women proportionate to their representation in the civilian labor force from which their application would be sought.

c. Complaints of discrimination, including sexual harassment, will be dealt with promptly in accordance with applicable regulations. Reprisal actions against employees exercising their rights under the law will not be condoned and may form the basis for a separate complaint. This protection includes all persons involved in the complaint procedure (e.g., complainant, complainant's representative, counselors, witnesses, EEO staff, and Civilian Personnel staff).

d. For those districts and field offices with fewer than 100 U.S. civilian employees, all requirements of Division EEO policy and guidance will be followed with the exception of developing mini-plans. This exception does not exempt the servicing EEO Office from maintaining a mini-AEP for the district offices.

5. RESPONSIBILITIES.

a. Responsibility for EEO and Affirmative Employment (AE) is assigned by the Secretary of the Army, through the Chain of Command, to all Commanders, managers, and supervisors employed by the Division, Districts and Area Resident offices. Certain responsibilities must be carried out by designated staff officers, but the overall responsibility for the effectiveness of the program is the Commanders'. Accordingly, Commanders will:

(1) Issue a statement of personal support for EEO, Affirmative Employment, and the Prevention of Sexual Harassment. The statement will be issued upon assumption of command and reviewed for currency annually thereafter. This policy statement will be distributed to the work force and displayed on official bulletin boards.

(2) Assure that sufficient human, monetary, and logistical resources are allocated to maintain a successful program to meet Division/District goals and objectives.

(3) Assure that Affirmative Employment Plans are written for the Division/District and Area/Resident Offices with 100 or more U.S. employees in accordance with applicable directives, and that the major offices with 50 or more U.S. employees (e.g., Construction, Engineering and Resource Management) maintain "mini plans" of action to alleviate underrepresentation in consonance with Division and District goals.

(4) Assure that EEO/Affirmative Employment is a critical element in the performance standards of responsible managers/supervisors (as outlined in the AR 690-400) and that ratings of "exceeded" are fully justified.

(5) Assure the establishment of a Special Emphasis Program Committee (SEPC) within the Command or the servicing EEO Office which meets regularly and contributes to internal goal-setting and EEO program emphasis, as well as advising the Commander and staff.

(6) Assure that all employees are aware of their responsibility to maintain a harmonious work environment free of discrimination.

b. Equal Employment Manager (EEM) or servicing activity EEO Officer will:

(1) Provide guidance, leadership, management and advice to respective Commanders and staff for carrying out an effective EEO program.

(2) Evaluate and record the program initiatives within their purview (including recruitment strategies and procedures, personnel management practices, training, disciplinary actions and awards) and review management activities that have an impact on the program.

(3) Recommend actions, modifications to existing practices, or alternative procedures in order to enhance the EEO climate and affirmative employment goal achievement.

(4) Prepare the appropriate annual AEP plans, updates, and accomplishment reports as required by EEOC, DA and HQ USACE (Division EEM will evaluate District and POD products).

(5) Receive discrimination complaints and decide whether to accept or reject formal complaints. The EEM, after acknowledging receipt of the complaint must determine whether or not it should be accepted or rejected. The bases for rejection are:

(a) Lack of Purview: The complainant must allege discrimination based on one or more protected categories: race, color, gender, national origin, religion, handicap, age. If the complainant does not allege discrimination based on one of the protected categories, the complaint must be rejected.

(b) Timeliness: In addition to being within the purview, the complaint must be timely filed. There are two critical points in the complaint processing system. The aggrieved must file a complaint within 15 days from the date of final interview and must have made contact with an EEO counselor within 30 days of the alleged discriminatory incident. If the aggrieved does not meet either the 15 day or the 30 day time limits, the complaint must be rejected unless the complainant can show good cause why the time limits were not met. Division EEM will monitor District and HQ POD complaints, review reports of investigation, and advise on courses of action on HQ POD complaints and District complaints upon request. Division EEM will also process complaints in which a District Commander is named as the Responding Management Official.

(6) Recommend appointments of counselors and assure they are given adequate training, advice, and assistance to facilitate effective precomplaint processing and resolution at the informal stage, wherever possible.

(7) Review policies, practices and procedures to identify problems and barriers that may impede the Commander in the achievement of EEO and affirmative action goals.

c. Federal Women's Program Manager will advise Commanders, through EEMs, on matters affecting employment and career management of women, as outlined in applicable regulations.

d. Hispanic Employment Program Manager will advise Commanders, through EEMs, on matters affecting employment and career management of persons of Hispanic origin, as outlined in applicable regulations.

e. Black Employment Program Manager will advise Commanders, through EEMs, on matters affecting employment and career management of persons of Black origin, as outlined in applicable regulations.

f. The Operating Civilian Personnel Officer (CPO) will:

(1) Assure that all recruitment and placement activities are conducted in consonance with affirmative employment goals; that appropriate outreach and targeted recruitment is accomplished; that a workable Federal Equal Opportunity Recruitment Program (FEORP) Plan is in place; and review selection criteria to assure consistency with the Uniform Guidelines on Employee Selection Procedures (UGESP).

(2) Coordinate all matters having EEO impact with the EEM.

(3) Meet regularly with the EEM and EEO staff to discuss matters of mutual concern.

(4) Ensure that the provisions of FPM Letter 713-37 documenting EEO collateral duties of appropriate Division/District personnel in official position descriptions and personnel files have been met.

g. Managers and supervisors will:

(1) Assure recruitment and staffing procedures within their purview are consistent with AEP goals to eliminate underrepresentation in the Division/District.

(a) Base recruitment as broadly as possible to assure maximum consideration of available candidates.

(b) Assign selection criteria consistent with the UGESP.

(c) Perform personal career and career outreach efforts through community contacts, meetings, school contacts, professional societies, etc., to identify qualified minority/women candidates.

(2) Demonstrate personal support for EEO through participation in events designed to increase awareness of barriers encountered by various protected groups.

(3) Assure all subordinates are given adequate counseling regarding career development, opportunities for growth and advancement and self-development.

(4) Assure minorities and women receive training and developmental assignments in accordance with established EEO and AEP goals.

(5) Assure a working environment that is free of harassment, both sexual and ethnic; is conducive to harmonious relations among workforce members; and encourages free and open discussion of potential problems.

(6) Identify and resolve potential problems at the earliest possible time.

(7) Provide opportunities for upward mobility whenever feasible.

h. Employees will observe the laws and regulations proscribing discrimination, sexual harassment, and racial or ethnic slurs, and will observe proper decorum in the workplace to preclude perception of violation of these directives. Employees will not, through action or inaction, encourage these inappropriate behaviors on the part of other workforce members.

6. PROCEDURES.

a. Affirmative Employment Program Plan (AEPP) and Federal Equal Opportunity Recruitment Program (FEORP).

(1) The AEPP determines the degree of underrepresentation of the various minorities and women in specific career programs, occupational groupings, and job families. Based on these data, the AEPP promulgates goals to be achieved during a specific time period. The FEORP delineates the methods and means of achieving these goals.

(2) The major staff offices with 50 or more employees will have organization plans to supplement the overall AEPP, with specific targets identified. The smaller staff offices will work under a combined executive office plan. Allocation of goals within an operating location will be a function of the EEO Office. Performance Standards of the appropriate office chiefs will require them to take actions to achieve assigned goals.

b. Referral and Selection Rosters.

(1) AEP Goal and Accomplishment Requirements. Each selection roster will be accompanied by a summary sheet which lists in ethnicity order, the category of minorities and women underrepresented in a particular Professional, Administrative, Technical, Clerical and Others (PATCO) job category. This information will be prepared for every recruitment action throughout the Division and Districts. Selecting officials will articulate--in writing--legitimate, nondiscriminatory business reasons for their selections. These will be reviewed by the EEO or his/her designee. Rosters with potential for affirmative action selections (i.e., a selection that would help to meet established goals), but wherein affirmative action was not exercised, may be discussed with the executive office to clarify the adequacy of the reasons for selection. This action will be taken, if appropriate. A referral list prepared for a vacancy in an underrepresented occupational series/grade which has been targeted in the AEPP, and which does not contain the name of a minority or woman, will be analyzed by the EEO Office staff to assure that adequate attention to the AEPP goals and appropriate outreach methods were

employed by the recruiting office. Items of concern will be reported to the executive office. CPO will summarize periodically, in coordination with the EEO Office, the number of registers referred to selecting supervisors, the number of registers containing the names of minorities and/or women, and the number of selections of minorities and/or women during the period. (Quarterly or at least semiannually depending on turnover rate and statistical significance.)

(2) Statistics on all AEP accomplishments in recruitment of minorities and women will be retained on file for future studies and trend analyses.

c. Performance Appraisals.

(1) Guidance for managers/supervisors to prepare and accomplish EEO performance standards is as follows:

(a) AR 690-400 provides guidance for all managers and supervisors in preparing and implementing of EEO performance standards and further defines and requires that all individuals who supervise subordinate employees, from first line supervisors to top managers; and who have the authority to make personnel decisions (hires, promotions, awards, training, disciplinary actions, etc.), will be assigned an EEO critical element and evaluated on their EEO and affirmative action performance.

(b) To assist managers in meeting the DA, HQUSACE and POD requirements in performance management, the EEO office has developed the following for all supervisors and managers:

(c) EEO performance standards guidance is provided at Appendix A. This standard is considered to be realistic and achievable by all concerned.

(d) A list of suggested action items which will help or prevent managers/supervisors in accomplishing their performance standards (Appendix B).

(2) In addition, all POD supervisors will have EEO as a critical element in their performance standards. Rating officials shall consult with the EEO Officer who may have special knowledge of the supervisor's performance in EEO during the rating period. The EEO Officer will be required to review all performance appraisals with an exceeded rating in EEO. This action will be conducted to ensure that the justification exceeds the established requirements, prior to final approval by the rating official.

(3) Progress in attaining AEP goals as outlined in 6b above will be a factor in the determination of whether an official has met his/her obligations in pursuing affirmative actions.

(4) Individual actions taken in support of AEPP goals will be cited in writing performance appraisals. Attainment of goals, per se, is not necessarily the only measure.

(5) Commanders and key managers will assure that the performance standards measure end-results and are attainable and that justification for an "exceeded" rating is clear and unequivocal. All exceeded ratings in EEO will require a review by the EEM prior to the final review processes. In addition, EEO and CPO will advise in this respect as needed and requested.

d. Complaints of Discrimination.

(1) Complaints will be processed in accordance with Directives in 29 CFR 1613 and AR 690-600.

(2) Employees and applicants who believe they have been discriminated against on the basis of race, color, religion, national origin, sex (to include marital status and sexual harassment), age, or mental or physical handicap, or who believe they are the victims of reprisal for protected activity, should contact a counselor, or a member of the EEO staff who will arrange contact with a counselor, within 30 calendar days of the incident giving rise to the complaint.

(3) All employees who are asked to provide information with respect to a complaint must cooperate fully. Failure to respond or intentional falsification of such information by any employee may subject that person to separate disciplinary action.

(4) A review of the complaints procedures by a counselor or a member of the EEO staff (and a copy of AR 690-600, upon request) will be made available to any person desiring to file a complaint. Assistance in identifying and clarifying issues in a complaint is also available from the counselor, EEO staff, and CPO staff.

e. EEO Training. All managers/supervisors must ensure that all employees receive required EEO training as set forth below:

(1) All new employees will receive, as part of their initial orientation, an overview of the Division/District EEO/AE programs and policies. Additionally, new employees will be scheduled for the Department of Army Training in Prevention of Sexual Harassment (POSH).

(2) All managers and supervisors must receive POSH training within the first year as a manager/supervisor. In addition, refresher and update training on EEO and Affirmative Employment will be provided for managers/supervisors as determined to be necessary based on regulatory changes, affirmative employment progress and problems identified in various program reviews. This training may be provided internally, by contract, or through the use of government trainers.

FOR THE COMMANDER:

Arlof D. Hewson

ARLOF D. HEWSON
Director, Information Management

- 2 Appendices
1. App A - Standard Guidance
2. App B - Suggested Action Items

DISTRIBUTION: (List 90-1)
B, C

APPENDIX A

| CIVILIAN PERFORMANCE PLAN | | | PAGE | OF | PAGES |
|----------------------------------------------------------------------------------------|------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|------|-------|
| For use of this form, see AR 690 400, Chapter 430, the proponent agency is DCSPER | | | | | |
| PART I - ADMINISTRATIVE DATA | | | | | |
| 1. NAME (Last, First, MI) AND SSN | | | 2. NAME AND LOCATION OF EMPLOYING OFFICE | | |
| 3. POSITION TITLE AND NUMBER, PAY PLAN, SERIES AND GRADE/LEVEL | | | | | |
| PART II - PERFORMANCE ELEMENTS AND STANDARDS | | | | | |
| JOB ELEMENTS a | CE b | PERFORMANCE STANDARDS c | | | |
| Equal Employment Opportunity | Y | Discharges supervisory responsibilities in compliance with applicable laws and regulations in support of EEO programs by making realistic contributions to the accomplishment of the goals and objectives of these programs. Personally participates and assures participation of subordinates in EEO/AA training and EEO program sponsored activities. | | | |
| SAMPLE | | | | | |
| PART III - AUTHENTICATION | | | | | |
| | SIGNATURE | DATE | SIGNATURE | DATE | |
| 1 | SUPERVISOR | | | | |
| | | | | | |
| 2 | REVIEWER/ APPROVING OFFICIAL | | | | |
| | | | | | |
| 3 | EMPLOYEE* | | | | |
| | | | | | |
| *Employee signature indicates that discussion, not necessarily agreement, has occurred | | | | | |

SUGGESTED ACTIONS TO ACCOMPLISH PERFORMANCE STANDARDS

SUGGESTED ACTIONS: Accomplishment of 5-9 actions meets the standard. Accomplishment of 10 or more actions will exceed the standard. Documentation is required for each action accomplished.

CRITERIA NO. 1: Steps To Assure Acceptance of Minorities, Women And Handicapped In Group By Management

- * Speaks favorably about minorities, women and their participation in the work group.
- * Identifies and provides information to subordinates on behaviors and mannerisms which may be offensive to minorities, women and handicapped.

CRITERIA NO. 2: Efforts To Stay Abreast Of Or Increase Knowledge Of EEO/AA Responsibilities

- * Keeps abreast of recent developments, guidelines and regulations on EEO.

CRITERIA NO. 3: Efforts To Maintain A Harmonious Environment Free Of Discrimination

- * Identifies and recommends changes to correct systemic problems within POD which give rise to discrimination.
- * Provides leadership and initiative within POD's EEO program (serves on the EEO committee, for example).
- * Develops a high level of staff morale through sensitive treatment and handling of subordinates.

CRITERIA NO. 4: Efforts To Review Internal Policies, Practices And Procedures With A View Towards Modifying Or Eliminating Those Which May Discriminate Against Or Give Offense To Any Group Of Employees Or Individuals

- * Participates in EEO training to help identify policies and procedures which are discriminatory or have an adverse impact on minorities, women and handicapped.

CRITERIA NO. 5: Efforts To Set Policy And Guidance For Subordinates In Support Of EEO

- * Participates in outside activities which help develop government-wide EEO policy.
- * Supports and participates in community efforts to improve conditions (housing, transportation, education) which affect employability.

- * Initiates or approves goals whose accomplishment will improve the AA profile.

CRITERIA NO. 6: Efforts To Personally Get Involved In EEO Activities, And Allow Subordinates To Do So

- * Encourages employees to participate in EEO programs, activities.
- * Serves on ad hoc, advisory or EEO committees to help eliminate discrimination.
- * Recommends to higher levels of management the need for EEO programs and activities.

CRITERIA NO. 7: Efforts To Transmit Timely, Up-To-Date Information On EEO To All Subordinates

- * Maintains liaison with the EEO office and staff on anticipated developments in EEO so as to be better able to inform subordinates.
- * Participates in Division EEO programs designed to inform employees of relevant up-to-date information.
- * Arranges for EEO officials to come to staff meetings and discuss relevant EEO issues, programs and policies.

CRITERIA NO. 8: Efforts To Establish Effective Channels And Lines Of Communication With Minorities And Women On Staff

- * Actively solicits and uses the ideas and suggestions of women and minorities.

CRITERIA NO. 9: The Extent To Which The Supervisor Relies On Job-Related Factors In The Personnel Management Of Subordinates

- * Re-evaluates job descriptions and the duties and responsibilities assigned to subordinates to assure that they reflect actual job needs.

CRITERIA NO. 10: The Extent To Which The Supervisor Is Consistent In The Personnel Management Of Subordinates

- * Supervisor carefully plans and provides for equal opportunity in all areas of personnel management.
- * Subordinates acknowledge as just and reasonable the supervisor's personnel decisions.
- * Periodically reviews the incentive awards program to identify any disparities in the awards received by women and minorities and take the necessary steps to correct.

- * Reviews grade level distribution of women and minorities for disparity; sets realistic and attainable goals for promotions where necessary.
- * Identifies performance discrepancies of minorities and women before they become major obstacles to successful completion of objectives.
- * Initiates or approves training goals for minorities and women that will improve the AA profile.

CRITERIA NO. 11: Efforts To Establish And Utilize Proper Documentation In The Personnel Management Of Subordinates

- * Reviews documentation to determine its sufficiency and whether an audit trail can be followed; reviews documentation and decisions based on it to determine consistency and job-relatedness (e.g. justification of personnel decisions).

CRITERIA NO. 12: The Extent To Which Employees Who Are Underutilized Or Underdeveloped Are Identified And Given Training And Developmental Assignments To Upgrade Their Knowledge And Skills Or Are Placed In Positions Commensurate With Their Skills And Training

- * Participates in the planning or POD-wide training programs for underdeveloped employees or those in low-grade or dead-end positions.
- * Develops a high level of staff morale through career development activities and the enhancement of career opportunities.
- * Develops inservice training to upgrade the skills of underdeveloped employees and improve career opportunities.
- * Considers and selects underutilized employees for higher-grade vacancies in the unit which are more commensurate with their skills and training.
- * Encourages underdeveloped employees to participate in outside educational activities which will upgrade their skills and training.
- * Eliminates unnecessary barriers to the upward mobility of subordinates.

CRITERIA NO. 13: The Extent To Which Positions Are Identified Which Lend Themselves To Restructuring And Are Modified To Provide Upward Mobility Opportunities

- * Provides input to and participates in the development of POD's upward mobility program.
- * Shows sensitivity to employees' knowledges, skills and interests, and structures their jobs to best utilize and develop them.
- * Consults with Personnel and takes steps to assure that target jobs are available for employees successfully completing upward mobility training and assignments.
- * Voluntarily restructures a job to provide upward mobility opportunities.

CRITERIA NO. 14: The Extent To Which Numerical Goals In Support Of POD's EEO/AA Plan For The Establishment Of Upward Mobility Positions Are Achieved

- * Reviews policies, practices and procedures to identify problems or barriers that may impede the achievement of AA goals and objectives.
- * Meets and exceeds goals.
- * Follows up on the placement of employees in upward mobility positions to determine their progress, adjustment and problem areas.

CRITERIA NO. 15: Efforts To Recruit And Provide For A Representative Applicant Pool From Which Selections Can Be Made

- * Meets with female, minority and ethnic groups (colleges and universities), soliciting their support and assistance in locating and identifying minority and female candidates who qualify or can become qualified.
- * Utilizes non-traditional recruitment sources to locate minority, female and handicapped applicants.
- * Actively seeks and encourages minorities and women to apply for positions.
- * Consults with EEO to assure that recruitment literature reaches all segments of the community and that it reflects POD's desire for a well-balanced, representative work force.
- * Voluntarily restructures a job to employ a handicapped person.
- * Consults with EEO to assure that minorities and women are included in the applicant pool from which selections are made and when necessary, expands the minimum area of consideration, extends the closing date of the vacancy announcement, contacts minority organizations for referrals, special recruitment efforts, etc.

CRITERIA NO. 16: Efforts To Assure Selections Are Based On Merit And Job-Related Factors (Including The Need For Diversity)

- * Participates in training and self-development activities to improve knowledge of Personnel appraisal and selection techniques.
- * Participates in the development of POD selection procedures.
- * Selects qualified women, minorities and handicapped for professional positions, decision-making roles.

CRITERIA NO. 17: The Extent To Which Numerical Goals In Support Of POD's EEO/AA Plan Are Achieved

- * Establishes realistic and attainable hiring goals (sets specific goals with target dates in each area of underrepresentation).

CRITERIA NO. 18: Efforts To Identify And Remove Qualification Barriers Which Have An Adverse Impact On Minorities, Women And Handicapped

- * Continually tries to improve qualifications appraisal systems to meet the current (and anticipated) recruitment needs of the unit and to foster greater opportunities for women, minorities and handicapped.
- * Consults with Personnel on identifying and eliminating, or modifying, qualification requirements which may have a disparate effect on minorities and women and which are not essential for successful performance.

CRITERIA NO. 19: Efforts To Assure That Women And Minorities, As Well As Handicapped, Are Given Full Consideration When Being Appraised For Hiring Or Promotion

- * Counsel minorities, women and handicapped on why they were not selected (or promoted) and how they can improve their chances.
- * Recommends qualified minorities, women and handicapped for promotion or hiring.

CRITERIA NO. 20: The Extent To Which Minorities And Women Are Counseled On Career Development And Training Opportunities

- * Serves on POD training committee providing leadership and input into career counseling and development programs.
- * Establishes a high level of morale through effective career counseling and the enhancement of career development opportunities.

- * Participates in training on counseling techniques and career development to be better able to advise minorities and women.
- * Spends time and effort training and preparing minorities, women, low-skilled and disadvantaged to reach their full potential and assume broader responsibilities.

CRITERIA NO. 21: The Extent To Which Minorities And Women Receive
 Training And Developmental Assignments

- * Meets with minorities and women to evaluate their training (once completed) and determine how to best utilize their increase skills and knowledges.

ACTIONS CONSIDERED UNFAVORABLE**CRITERIA NO. 1: Steps To Assure Acceptance of Minorities, Women And Handicapped In Group By Management**

- * Speaks unfavorably about minorities/women in the hearing of others (stereotypes, tells ethnic, racist, or sexist jokes).
- * Disregards subordinates' inappropriate conduct which may be offensive to minorities, women and the handicapped (calling women gals or broads, calling minorities "boy", making fun of the handicapped).

CRITERIA NO. 2: Efforts To Stay Abreast Of Or Increase Knowledge Of EEO/AA Responsibilities

- * Lacks familiarity with EEO principles; does not know EEO staff.

CRITERIA NO. 3: Efforts To Maintain A Harmonious Environment Free Of Discrimination

- * Shows no willingness or desire to work with or cooperate with employees and the EEO counselor to resolve allegations of discrimination.
- * Ignores POD guidelines, AA plan, and EEO requirements in supervising staff members.

CRITERIA NO. 4: Efforts To Review Internal Policies, Practices And Procedures With A View Towards Modifying Or Eliminating Those Which May Discriminate Against Or Give Offense To Any Group Of Employees Or Individuals

- * Insensitivity to the adverse impact of internal policies and procedures on minorities, women and handicapped.

CRITERIA NO. 5: Efforts To Set Policy And Guidance For Subordinates In Support Of EEO

- * Does not adhere to POD policy and guidelines on EEO; ignores time frames for responding to charges of discrimination.

CRITERIA NO. 6: Efforts To Personally Get Involved In EEO Activities, And Allow Subordinates To Do So

- * Does not allow subordinates the opportunity to participate in EEO activities or programs (can't spare the time, workload too heavy, doesn't allow time for EEO committee meetings, counseling, etc.).
- * Discourages employee participation in EEO activities.

CRITERIA NO. 7: Efforts To Transmit Timely, Up-To-Date Information On EEO To All Subordinates

- * Does not inform subordinates of EEO activities and programs; does not circulate EEO notices or policy guidance.
- * Does not keep abreast of changes in EEO program requirements.

CRITERIA NO. 8: Efforts To Establish Effective Channels And Lines Of Communication With Minorities And Women On Staff

- * Discourages feedback from minorities and women.

CRITERIA NO. 9: The Extent To Which The Supervisor Relies On Job-Related Factors In The Personnel Management Of Subordinates

- * Relies on personal judgement in appraising minority employees and applicants for positions rather than valid, objective job-related factors.

CRITERIA NO. 10: The Extent To Which The Supervisor Is Consistent In The Personnel Management Of Subordinates

- * Minorities receive a disproportionate share of disciplinary actions.
- * Disciplines minorities for misconduct while similar behavior by others is ignored.
- * Relies on verbal appraisals when evaluating the performance of minorities, while using written appraisals when evaluating others.
- * Recommends training for white males, while ignoring the developmental needs of women, minorities and handicapped.

CRITERIA NO. 11: Efforts To Establish And Utilize Proper Documentation In The Personnel Management Of Subordinates

- * Uses more stringent promotion criteria to appraise minorities as opposed to non-minorities.
- * Minority men receive a disproportionate share of promotions, awards.

CRITERIA NO. 12: The Extent To Which Employees Who Are Underutilized Or Underdeveloped Are Identified And Given Training And Developmental Assignments To Upgrade Their Knowledge And Skills Or Are Placed In Positions Commensurate With Their Skills And Training

- * Does not establish or use documentation to substantiate and justify personnel decisions regarding subordinates.

- * Makes maximum utilization of the skills and training of some, but not all employees.
- * Provides self-development activities for some, but not all employees (white males only for example).

CRITERIA NO. 13: The Extent To Which Positions Are Identified Which Lend Themselves To Restructuring And Are Modified To Provide Upward Mobility Opportunities

- * Lacks knowledge of position management and upward mobility.
- * Lacks willingness or is uncooperative in working with EEO and Personnel to restructure jobs and create upward mobility positions.

CRITERIA NO. 14: The Extent To Which Numerical Goals In Support Of POD's EEO/AA Plan For The Establishment Of Upward Mobility Positions Are Achieved

- * Establishes no goals or objectives.
- * Uses slots designed for upward mobility to fill other positions.
- * Makes disparaging remarks about the upward mobility program and its participants.

CRITERIA NO. 15: Efforts To Recruit And Provide For A Representative Applicant Pool From Which Selections Can Be Made

- * Establishes qualifications for positions which are not job-related and which tend to exclude minorities and women (must have a college degree, must be able to lift and carry heavy weights, for example).
- * Limits referrals to the "old boy" network.
- * Is unfamiliar with staffing and recruitment techniques.

CRITERIA NO. 16: Efforts To Assure Selections Are Based On Merit And Job-Related Factors (Including The Need For Diversity)

- * Is frequently involved in pre-selection.
- * Does not give full consideration to women, minorities and handicapped when filling vacancies.
- * Allows EEO consideration to override all others when selecting candidates for vacancies.

CRITERIA NO. 17: The Extent To Which Numerical Goals In Support Of
POD's EEO/AA Plan Are Achieved

- * Does not set hiring goals in support of AA.
- * Lacks knowledge of underrepresentation (if any) of minorities and females in work unit.

CRITERIA NO. 18: Efforts To Identify And Remove Qualification
Barriers Which Have An Adverse Impact On Minorities,
Women And Handicapped

- * Uses standards to disqualify minorities, women and handicapped rather than to use the flexibilities of the merit system to find alternative ways to qualify them (job redesign, filling the position at a lower level, etc.).
- * Imposes higher qualification requirements for women and minorities than the standards allow (BA degrees for secretarial positions for example).

CRITERIA NO. 19: Efforts To Assure That Women And Minorities, As Well
As Handicapped, Are Given Full Consideration When
Being Appraised For Hiring Or Promotion

- * Does not refer applications from women, minorities and handicapped to Personnel.
- * Excludes or ignores the applications of women, minorities and handicapped when filling positions.
- * Preselects men or non-minorities without considering women or minorities.

CRITERIA NO. 20: The Extent To Which Minorities And Women Are
Counseled On Career Development And Training
Opportunities

- * Does not counsel minorities and women on career development and training opportunities.
- * Does not assess performance, knowledges and skills to identify developmental needs.
- * Does not prepare IDPs (Individual Development Plan).

CRITERIA NO. 21: The Extent To Which Minorities And Women Receive
Training And Developmental Assignments

- * Sets no goals or objectives for the training and development of minorities and women.

- * Ignores minorities and women when recommending or appraising training for subordinates.
- * Does not meet with women and minorities to assess their progress in meeting IDP goals and objectives.
- * Does not utilize the training, or increased knowledges and skills of women and minorities gained through training.